

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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ISLAND SOFTWARE & COMPUTER SERVICE, INC.,

Plaintiff and  
Counter-Defendant,

**ORDER**  
CV01-750(WDW)

-against-

MICROSOFT CORP.,

Defendant and  
Counter-Claimant,

-against-

MICHAEL BRUNNER,

Counter-Defendant

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**WALL, Magistrate Judge:**

By order dated April 13, 2006, the undersigned set forth the reasons why it could not award Microsoft the same damages that were awarded in the earlier judgment, and gave it the option of accepting \$120,000 in damages, along with \$67,955.06 in costs and attorney's fees, or going to trial on the issue of willfulness. By letter dated April 26, 2006, Microsoft has informed the court that it will accept the lower damages rather than go to trial. The Clerk of the Court is thus directed to enter judgment for Microsoft, with damages in the amount of \$120,000.00 and costs and attorney's fees in the amount of \$67,955.06, along with the injunctive relief previously ordered, and to close the case.

Dated: Central Islip, New York  
May 5, 2006

**SO ORDERED:**

/s/ William D. Wall  
WILLIAM D. WALL  
United States Magistrate Judge